

## COUNTY NOTICES PURSUANT TO A.R.S. § 49-112

Because each county writes rules and regulations in its own unique style, County Notices published in the *Register* do not conform to the standards of the *Arizona Rulemaking Manual*. With the exception of minor formatting changes, the rules (including subsection labeling, spelling, grammar, and punctuation) are reproduced as submitted.

### NOTICE OF RULEMAKING DOCKET OPENING

#### PIMA COUNTY AIR QUALITY CONTROL REGULATIONS

##### PIMA COUNTY CODE

##### TITLE 17 – AIR QUALITY CONTROL

##### CHAPTER 17.16 – EMISSION LIMITING STANDARDS

- 1. Title and it's heading:** Title 17 of the Pima County Code

**Chapter and it's heading:** Chapter 17.16 – Emission Limiting Standards

**Articles and their headings:** Article IV – New and Existing Stationary Source Performance Standards  
Article VII – National Emission Standards for Hazardous Air Pollutants

**Section numbers:** 17.16.130 – Applicability  
17.16.160 – Standards of performance for fossil-fuel fired steam generators and general fuel burning equipment  
17.16.165 – Standards of performance for fossil-fuel fired industrial and commercial equipment  
17.16.180 – Standards of performance for Portland Cement Plant  
17.16.220 – Standards of performance for petroleum refineries  
17.16.280 – Standards of performance for primary copper smelters; site specific requirements  
17.16.290 – Standards of performance for primary copper smelters; compliance and monitoring  
17.16.300 – Standards of performance for primary copper smelters; fugitive emissions  
17.16.530 – National Emission Standards for Hazardous Air Pollutants (NESHAP)
- 2. The subject matter of the proposed rule:**

PDEQ is proposing to amend and/or repeal the above sections. Standards for sources that PDEQ does not have original jurisdiction under A.R.S. § 49-402 are being repealed (Copper Smelters – 17.16.280 – 300, Portland Cement Plants – 17.16.180, and Petroleum Refineries – 17.16.220). Other sections (17.16.130 and 17.16.160) are being amended for corrections to sectional references. A new section, 17.16.180, is being added in Article IV. “New and Existing Stationary Source Performance Standards for Existing Hospital/Medical/Infectious Waste Incinerators” is the new section 17.16.180. These rules are based on federal standards and ADEQ’s Rule 18-2-732 (Existing Stationary Source Performance Standards for Existing Hospital/Medical/Infectious Waste Incinerators). Typographical errors are being corrected and the subsections of 17.16.530 are being renumbered. This section is also being amended by adding two new subparts from 40 CFR 63, as codified on July 1, 2004; 40 CFR 63, Subpart IIII – National Emission Standards for Hazardous Air Pollutants (NESHAP): Surface Coating of Automobiles and Light-Duty Trucks; and Subpart PPPP – National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products. These incorporations by reference of the NESHAP subparts assure the continued delegation of authority from EPA to PDEQ to enforce the federal standards.
- 3. A citation to all published notices relating to the proceedings:**

Notice of Final Rulemaking: 5 A.A.R. 3058, September 10, 1999 (ADEQ)
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Jean Parkinson, Program Coordinator

Address: Pima County DEQ  
150 W. Congress St., Room 109  
Tucson, AZ 85701

Telephone: (520) 740-3978

Fax: (520) 882-7709

E-mail: jean.parkinson@deq.pima.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

To be announced in the Notice of Proposed Rulemaking

**6. A timetable for agency decisions or other action on the proceeding, if known:**

To be announced in the Notice of Proposed Rulemaking

**NOTICE OF RULEMAKING DOCKET OPENING**

**PIMA COUNTY AIR QUALITY CONTROL REGULATIONS**

**PIMA COUNTY CODE**

**TITLE 17 – AIR QUALITY CONTROL**

**CHAPTER 17.28 – VIOLATIONS AND CONDITIONAL ORDERS**

**1. Title and it's heading:**

Title 17 of the Pima County Code

**Chapter and it's heading:**

Chapter 17.28 – Violations and Conditional Orders

**Articles and their headings:**

Article I – Violations

**Section numbers:**

17.28.065 – Excess Emissions

**2. The subject matter of the proposed rule:**

PDEQ is proposing to repeal the above section and replace it in another chapter. A new section is being added in Chapter 17.12, Article I – General Provisions as Section 17.12.035 – Affirmative Defenses for Excess Emissions Due to Malfunctions, Startup, and Shutdown.

**3. A citation to all published notices relating to the proceedings:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Jean Parkinson, Program Coordinator

Address: Pima County DEQ  
150 W. Congress St., Room 109  
Tucson, AZ 85701

Telephone: (520) 740-3978

Fax: (520) 882-7709

E-mail: jean.parkinson@deq.pima.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

To be announced in the Notice of Proposed Rulemaking

**6. A timetable for agency decisions or other action on the proceeding, if known:**

To be announced in the Notice of Proposed Rulemaking